

# DOCKETED

FILED

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

1977 JUN 10 PM 3 18

THE MAGNAVOX COMPANY,  
a Corporation, and  
SANDERS ASSOCIATES, INC.,  
a Corporation,

Plaintiffs,

-vs-

CHICAGO DYNAMIC INDUSTRIES,  
INC., a Corporation, et al.

Defendants.

CLERK  
U.S. DISTRICT COURT

Consolidated  
Civil Actions  
No. 74 C 1030  
No. 74 C ~~2410~~

2510

RESPONSE OF NATHAN YORKE, ASSIGNEE  
FOR BENEFIT OF CREDITORS OF  
CHICAGO DYNAMIC INDUSTRIES, INC.  
TO PLAINTIFF'S INTERROGATORIES

TO: The Honorable  
John F. Grady  
District Judge

The undersigned, NATHAN YORKE, is Trustee for the benefit of creditors of CHICAGO DYNAMIC INDUSTRIES, INC., a corporation under General Assignment For Benefit of Creditors executed and delivered on March 11, 1977, a copy of which General Assignment is attached hereto and made part hereof. As such Assignee, and Trustee it is the obligation of the undersigned to examine into and where appropriate, contest all claims asserted against the Estate, and ultimately to make distribution of the proceeds of the Estate to the various creditors in accordance with their legally recognizable claims,

and in accordance with priorities established by law. As such it is the obligation of the undersigned to present such defenses as may be appropriate to the imposition of liability against the Estate by Plaintiffs in this action. Accordingly, in response to interrogatories propounded by Plaintiffs, bearing numbers 224 to 228, the undersigned states:

1. He has no knowledge with respect to any of the facts set forth in or as to which information is requested in interrogatories 224 to 228 inclusive, except such information as may be available from the business records of Chicago Dynamic Industries, Inc. which have been turned over to the undersigned. Such business records are available for inspection and copying by Plaintiffs at the offices of the undersigned, 208 South La Salle Street, Chicago, Illinois and it would be no more burdensome or expensive for Plaintiffs to obtain such information from those records than it would be for this Assignee and Trustee to do so.

WHEREFORE, the undersigned NATHAN YORKE, Trustee and Assignee of CHICAGO DYNAMIC INDUSTRIES, INC. prays that he be excused from making other of further response to the interrogatories propounded by Plaintiffs, and that such other and further orders be entered as to the Court may seem proper.



Assignee and Trustee for  
CHICAGO DYNAMIC INDUSTRIES, INC.,  
Defendant.

LOUIS W. LEVIT  
105 W. Adams St.  
Chicago, Ill.  
ATTORNEY FOR ASSIGNEE-TRUSTEE



of Assignor to collect, sue for or otherwise liquidate or discharge of any and all claims, demands or accounts due and payable to Assignor from whomsoever, and to dispose of all disputed claims asserted against Assignor in such manner as shall be in the best interest of the creditors of Assignor; and the Assignee shall disburse the proceeds realized from the sale or other disposition of Assignor's said property in the following manner:

1. Payment of the expenses of administration of the trust created hereby, including reasonable compensation to the Assignee and his attorney, the attorney for the Assignor, and to such other parties as shall be entitled thereto.
2. Distribute and pay the remainder of said proceeds to Assignor's creditors for all debts and liabilities which Assignor may owe including, but not limited to, those persons whose names are listed on Schedule A attached hereto and made a part hereof; provided, that if there shall not be sufficient funds with which to pay all of Assignor's debts, then said debts (except those entitled by law to priority) shall be paid pro rata.
3. If there should be any residue of said proceeds remaining after making the payments and distribution aforesaid, Assignee shall pay same to Assignor or its successors and assigns.
4. In the event of the death, inability or refusal to act, or, resignation of Nathan Yorke as Trustee-Assignee, then in such event \_\_\_\_\_ is hereby appointed as Successor Trustee-Assignee, with all the duties, rights and powers herein imposed upon and granted to Nathan Yorke as Trustee-Assignee.

Executed and delivered at Chicago Ill this 11<sup>th</sup> day  
of April 19 77

CHICAGO DYNAMIC INDUSTRIES, INC.

By

[Signature]  
Vice President

ATTEST:

\_\_\_\_\_  
Its Secretary

ACTION BY SHAREHOLDERS AND BOARD OF  
DIRECTORS BY UNANIMOUS WRITTEN CONSENT

We, the undersigned, being together the share-

holders of all of the issued and outstanding shares of  
CHICAGO DYNAMIC INDUSTRIES, INC.

an Illinois corporation, and comprising all of the  
directors of said corporation, hereby consent in writing,  
without a meeting, pursuant to the authority of Sections  
147 and 147.1 of the Illinois Business Corporation Act  
to the following action:

RESOLVED: That the corporation make an  
Assignment of all its assets to an Assignee  
for the benefit of creditors, and that the  
President and Secretary of the corporation  
execute all necessary papers and documents  
pertaining to an Assignment for the benefit  
of creditors to NATHAN YORKE, as Assignee,  
and said Assignee shall be authorized to do  
any and all acts necessary in order to fully  
carry out the intent and purposes of such  
Assignment.

FURTHER RESOLVED: That the Officers of this  
corporation are hereby empowered and directed  
to execute any and all other documents neces-  
sary to carry out the purposes to be contained  
in said Assignment for the benefit of creditors.

Dated:

Samuel H. Bensburg  
Samuel H. Bensburg

James A. Heant  
Eric Holberg

Shareholders and Directors.

Murray [Signature]  
[Signature]

) SS

at Harry M. Glick, Vice President, and  
, Secretary of  
Chicago Dynamic Industries, Inc.

for the uses and purposes therein set forth.

of March . A. D. 1977 .

Notary Public



A C C E P T A N C E

I, NATHAN YORKE, the Trustee and Assignee hereinabove named, do hereby accept the trust hereinabove set forth, not individually but as Trustee and Assignee, subject to the conditions set forth above.

  
Nathan Yorke

At Chicago, Illinois, March 11, 19 77